Exhibit A

AO 243 (Rev. 12/04)

Page 1

Motion to Vacate, Set Aside, or Correct a Sentence By a Person in Federal Custody

(Motion Under 28 U.S.C. § 2255)

Instructions

- To use this form, you must be a person who is serving a sentence under a judgment against you
 in a federal court. You are asking for relief from the conviction or the sentence. This form is
 your motion for relief.
- You must file the form in the United States district court that entered the judgment that you are challenging. If you want to challenge a federal judgment that imposed a sentence to be served in the future, you should file the motion in the federal court that entered that judgment.
- 3. Make sure the form is typed or neatly written.
- 4. You must tell the truth and sign the form. If you make a false statement of a material fact, you may be prosecuted for perjury.
- 5. Answer all the questions. You do not need to cite law. You may submit additional pages if necessary. If you do not fill out the form properly, you will be asked to submit additional or correct information. If you want to submit a brief or arguments, you must submit them in a separate memorandum.
- 6. If you cannot pay for the costs of this motion (such as costs for an attorney or transcripts), you may ask to proceed in forma pauperis (as a poor person). To do that, you must fill out the last page of this form. Also, you must submit a certificate signed by an officer at the institution where you are confined showing the amount of money that the institution is holding for you.
- 7. In this motion, you may challenge the judgment entered by only one court. If you want to challenge a judgment entered by a different judge or division (either in the same district or in a different district), you must file a separate motion.
- 8. When you have completed the form, send the original and two copies to the Clerk of the United States District Court at this address:

Clerk, United States District C	ourt for
Address	
City, State Zip Code	

- 9. <u>CAUTION</u>; You must include in this motion <u>all</u> the grounds for relief from the conviction or sentence that you challenge. And you must state the facts that support each ground. If you fail to set forth all the grounds in this motion, you may be barred from presenting additional grounds at a later date.
- 10. <u>CAPITAL CASES</u>: If you are under a sentence of death, you are entitled to the assistance of counsel and should request the appointment of counsel.

MOTION UNDER 28 U.S.C. § 2255 TO VACATE, SET ASIDE, OR CORRECT SENTENCE BY A PERSON IN FEDERAL CUSTODY

(b) If you entered a guilty plea to one count or indictment, and a not guilty plea to another	ed States District Court	District		
UNITED STATES OF AMERICA MOVANT (Include name under which you were v. MOTION (a) Name and location of court that entered the judgment of conviction you are challenging (b) Criminal docket or case number (if you know): (a) Date of the judgment of conviction (if you know): (b) Date of sentencing: Length of sentence: Nature of crime (all counts): (a) What was your plea? (Check one) (b) Not guilty (c) (2) Guilty (3) Nolo contendere (no contest) (b) If you entered a guilty plea to one count or indictment, and a not guilty plea to another	e (under which you were convicted):	Docket or Case No.:		
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(b) If you entered a guilty plea to one count or indictment, and a not guilty plea to another	What was your plea? (Check one)			
	(1) Not guilty \Box (2)	Guilty 🗆 (3)	Nolo contendere (no contest) 🔾	
	(b) If you entered a guilty plea to one count or indictment, and a not guilty plea to another count or indictment, what did you plead guilty to and what did you plead not guilty to?			
If you went to trial, what kind of trial did you have? (Check one) Jury 🔾 Judge			Jury 🔾 Judge only 🔾	

				Page 3
7.	Did you testify at a pretrial hearing, trial, or post-trial hearing?	Yes 🗆	No	a
8.	Did you appeal from the judgment of conviction?	Yes 🗆	No	o o
9.	If you did appeal, answer the following:			
	(a) Name of court:			
	(b) Docket or case number (if you know):		····	
	(c) Result:			
	(d) Date of result (if you know):			
	(e) Citation to the case (if you know):			·
	(f) Grounds raised:			
	(g) Did you file a petition for certiorari in the United States Supren	ne Court?	Yes □	No 🗆
	If "Yes," answer the following:			
	(1) Docket or case number (if you know):			
	(2) Result:	·		
	(3) Date of result (if you know):			
	(4) Citation to the case (if you know):			
	(5) Grounds raised:			··········
			÷	
				··
10.	Other than the direct appeals listed above, have you previously filed	-	notions,	
	petitions, or applications concerning this judgment of conviction in a Yes \square No \square	any court?		
11	If your answer to Question 10 was "Yes," give the following informa-	tion:		
	(a) (1) Name of court:			
	(2) Docket or case number (if you know):			
	(3) Date of filing (if you know):			
	(a) many or restrict the loss services.			

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(4) Nature of the proceeding:	····
(5) Grounds raised:	

	·····
(6) Did you receive a hearing where evidence was given on your motion, petition, or	
application? Yes 🗆 No 🗅	
(7) Result:	
(8) Date of result (if you know):	
(b) If you filed any second motion, petition, or application, give the same information:	
(1) Name of court:	
(2) Docket or case number (if you know):	
(3) Date of filing (if you know):	
(4) Nature of the proceeding:	
(5) Grounds raised:	
(6) Did you receive a hearing where evidence was given on your motion, petition, or	
application? Yes O No O	
(7) Result:	
(8) Date of result (if you know):	
(c) Did you appeal to a federal appellate court having jurisdiction over the action taken of	
motion, petition, or application?	y
(1) First petition: Yes 🗆 No 🗅	
(2) Second petition: Yes Q No Q	

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	(d) If you did not appeal from the action on any motion, petition, or application, explain briefly			
	why you did not:			
12.	For this motion, state every ground on which you claim that you are being held in violation of the			
	Constitution, laws, or treaties of the United States. Attach additional pages if you have more			
	than four grounds. State the facts supporting each ground.			
GR	OUND ONE:			
(a)	Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):			
(b) 1	Direct Appeal of Ground One:			
	(1) If you appealed from the judgment of conviction, did you raise this issue?			
	Yes O No O			
	(2) If you did not raise this issue in your direct appeal, explain why:			
(c) I	Post-Conviction Proceedings:			
	(1) Did you raise this issue in any post-conviction motion, petition, or application?			
	Yes \(\text{\$\exititt{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\			
	(2) If your answer to Question (c)(1) is "Yes," state:			
	Type of motion or petition:			
	Name and location of the court where the motion or petition was filed:			

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Docket or case number (if you know): Date of the court's decision:	
Result (attach a copy of the court's opinion or order, if available):	
result (attach a copy of the copy)	

(3) Did you receive a hearing on your motion, petition, or application?	
Yes 🖸 No 🖸	
(4) Did you appeal from the denial of your motion, petition, or application?	
Yes 🗅 No 🗅	
(5) If your answer to Question (c)(4) is "Yes," did you raise this issue in the appeal?	
Yes O No O	
(6) If your answer to Question (c)(4) is "Yes," state:	
Name and location of the court where the appeal was filed:	
Docket or case number (if you know):	
Date of the court's decision:	
Result (attach a copy of the court's opinion or order, if available):	
(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appear	eal or
raise this issue:	
ROUND TWO:	
Supporting facts (Do not argue or cite law. Just state the specific facts that support your cla	aim.):

	Page '
b) Direct Appeal of Ground Two:	
(1) If you appealed from the judgment of conviction, did you raise this issue? Yes No No	
(2) If you did not raise this issue in your direct appeal, explain why:	
c) Post-Conviction Proceedings:	
(1) Did you raise this issue in any post-conviction motion, petition, or application? Yes No No	
(2) If your answer to Question (c)(1) is "Yes," state:	
Type of motion or petition:	
Docket or case number (if you know):	
Date of the court's decision:	
Result (attach a copy of the court's opinion or order, if available):	
(3) Did you receive a hearing on your motion, petition, or application?	
Yes 🗆 No 🗅	
(4) Did you appeal from the denial of your motion, petition, or application? Yes No	
(5) If your answer to Question (c)(4) is "Yes," did you raise this issue in the appeal? Yes □ No □	
(6) If your answer to Question (c)(4) is "Yes," state:	
Name and location of the court where the appeal was filed:	
Docket or case number (if you know):	
Date of the court's decision:	
Result (attach a copy of the court's opinion or order, if available):	

	(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or		
	raise this issue:		
GR	OUND THREE:		
(a)	Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):		
	Direct Associate Consum d Throngs		
(D)	Direct Appeal of Ground Three: (1) If you appealed from the judgment of conviction, did you raise this issue?		
	Yes \(\sigma\) No \(\sigma\)		
	(2) If you did not raise this issue in your direct appeal, explain why:		
(c)	Post-Conviction Proceedings:		
ι-,	(1) Did you raise this issue in any post-conviction motion, petition, or application?		
	Yes 🗆 No 🔾		
	(2) If your answer to Question (c)(1) is "Yes," state:		
	Type of motion or petition:		
	Name and location of the court where the motion or petition was filed:		
	Docket or case number (if you know):		

(3	esult (attach a copy of the court's opinion or order, if available):
11) Did you receive a hearing on your motion, petition, or application?
11	Yes 🗅 No 🗅
(4) Did you appeal from the denial of your motion, petition, or application?
	Yes 🗆 No 🗅
(5	i) If your answer to Question (c)(4) is "Yes." did you raise this issue in the appeal?
	Yes D No D
(€	s) If your answer to Question (c)(4) is "Yes," state:
N	lame and location of the court where the appeal was filed:
	ocket or case number (if you know):
	ate of the court's decision:
R	lesult (attach a copy of the court's opinion or order, if available):
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	7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or
r	aise this issue:
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≀O	UND FOUR:
 S	upporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):
	
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	P:	ag,
_	Direct Appeal of Ground Four:	
	(1) If you appealed from the judgment of conviction, did you raise this issue?	
	Yes 🗆 No 🗅	
	(2) If you did not raise this issue in your direct appeal, explain why:	
]	Post-Conviction Proceedings:	
	(1) Did you raise this issue in any post-conviction motion, petition, or application?	
	Yes O No O	
	(2) If your answer to Question (c)(1) is "Yes," state:	
	Type of motion or petition:	
	Name and location of the court where the motion or petition was filed:	
	Docket or case number (if you know):	
	Docket or case number (if you know): Date of the court's decision:	
	Docket or case number (if you know):	
	Docket or case number (if you know): Date of the court's decision:	
	Docket or case number (if you know): Date of the court's decision:	
	Docket or case number (if you know): Date of the court's decision: Result (attach a copy of the court's opinion or order, if available): (3) Did you receive a hearing on your motion, petition, or application? Yes No	
	Docket or case number (if you know): Date of the court's decision: Result (attach a copy of the court's opinion or order, if available): (3) Did you receive a hearing on your motion, petition, or application?	
	Docket or case number (if you know):	
	Docket or case number (if you know): Date of the court's decision: Result (attach a copy of the court's opinion or order, if available): (3) Did you receive a hearing on your motion, petition, or application? Yes No (4) Did you appeal from the denial of your motion, petition, or application?	
	Docket or case number (if you know):	
	Docket or case number (if you know): Date of the court's decision: Result (attach a copy of the court's opinion or order, if available): (3) Did you receive a hearing on your motion, petition, or application? Yes No (4) Did you appeal from the denial of your motion, petition, or application? Yes No (5) If your answer to Question (c)(4) is "Yes," did you raise this issue in the appeal?	
	Docket or case number (if you know): Date of the court's decision: Result (attach a copy of the court's opinion or order, if available): (3) Did you receive a hearing on your motion, petition, or application? Yes No (1) (4) Did you appeal from the denial of your motion, petition, or application? Yes No (2) No (3) (5) If your answer to Question (c)(4) is "Yes," did you raise this issue in the appeal? Yes No (2) No (3)	
	Docket or case number (if you know):	
	Docket or case number (if you know):	
	Docket or case number (if you know):	

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	(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or
;	raise this issue:
13.	Is there any ground in this motion that you have <u>not</u> previously presented in some federal court?
	If so, which ground or grounds have not been presented, and state your reasons for not presenting them:
14.	Do you have any motion, petition, or appeal <u>now pending</u> (filed and not decided yet) in any court
	for the judgment you are challenging? Yes \(\mathbb{O}\) No \(\mathbb{O}\)
	If "Yes," state the name and location of the court, the docket or case number, the type of
	proceeding, and the issues raised.
15.	Give the name and address, if known, of each attorney who represented you in the following
	stages of the judgment you are challenging:
	(a) At preliminary hearing:
	(b) At arraignment and plea:
	(b) At arraignment and plea.
	(c) At trial:
	(A) At contanging:
	(d) At sentencing:

	(e) On appeal:
	(f) In any post-conviction proceeding:
	(g) On appeal from any ruling against you in a post-conviction proceeding:
16.	Were you sentenced on more than one count of an indictment, or on more than one indictment, in the same court and at the same time? Yes \(\mathbb{Q}\) No \(\mathbb{Q}\)
17.	Do you have any future sentence to serve after you complete the sentence for the judgment that you are challenging? Yes No O
	(a) If so, give name and location of court that imposed the other sentence you will serve in the future:
	(b) Give the date the other sentence was imposed:

. Т	IMELINESS OF MOTION: If your judgment of conviction became final over one year ago, you
n	nust explain why the one-year statute of limitations as contained in 28 U.S.C. § 2255 does not
	ar your motion.*
U	ar your motion.
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^{*} The Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA") as contained in 28 U.S.C. § 2255, paragraph 6, provides in part that:

A one-year period of limitation shall apply to a motion under this section. The limitation period shall run from the latest of -

⁽¹⁾ the date on which the judgment of conviction became final;

⁽²⁾ the date on which the impediment to making a motion created by governmental action in violation of the Constitution or laws of the United States is removed, if the movant was prevented from making such a motion by such governmental action;

⁽³⁾ the date on which the right asserted was initially recognized by the Supreme Court, if that right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or

⁽⁴⁾ the date on which the facts supporting the claim or claims presented could have been discovered through the exercise of due diligence.

		Page	e 14
Therefore, movant asks	that the Court grant the follow	ring relief:	
	h a control of		
or any other relief to wh	nich movant may be entitled.		
		Signature of Attorney (if any)	
I declare (or certify, ver and that this Motion ur (month	nder 28 U.S.C. § 2255 was place	perjury that the foregoing is true and corrected in the prison mailing system on	
Executed (signed) on _	(date).		
		Signature of Movant	
	not movant, state relationship	to movant and explain why movant is not	
	IN FORMA PAUPERIS	DECLARATION	
	[Insert appropr	iate court]	